

McMahon Q.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHIRLEY HORN, Individually And On Behalf
Of All Others Similarly Situated,

Plaintiff,

v.

HI-CRUSH PARTNERS LP, ROBERT E.
RASMUS, JAMES M. WHIPKEY, LAURA C.
FULTON, JEFFRIES V. ALSTON III,
ROBERT L. CABES, JR., JOHN R. HUFF,
TREVOR M. TURBIDY, STEVEN A.
WEBSTER, MORGAN STANLEY & CO.
LLC, BARCLAYS CAPITAL INC., CREDIT
SUISSE SECURITIES (USA) LLC, RBC
CAPITAL MARKETS LLC, UBS
SECURITIES LLC, RAYMOND JAMES &
ASSOCIATES and ROBERT W. BAIRD & CO.
INCORPORATED,

Defendants

JES SDN
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/11/13

No. 1:12-cv-08557-CM
ECF Case

MEMO ENDORSED

[Captions Continue on Following Page]

**PLAINTIFFS' NOTICE OF WITHDRAWAL OF MOTION OF LEONA SESHOLTZ
AND ALEXANDER W. THIELE FOR CONSOLIDATION, APPOINTMENT AS LEAD
PLAINTIFFS AND APPROVAL OF LEAD COUNSEL AND NOTICE OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE PURSUANT TO RULE 41(a)(1) (A) (i) OF THE
FEDERAL RULES OF CIVIL PROCEDURE**

LEONA SESHOLTZ and ALEXANDER W.
THIELE, on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

HI-CRUSH PARTNERS LP, ROBERT E.
RASMUS, JAMES M. WHIPKEY, LAURA C.
FULTON, JEFFRIES V. ALSTON III, ROBERT
L. CABES, JR., JOHN R. HUFF, TREVOR T.
TURBIDY, STEVEN A. WEBSTER, MORGAN
STANLEY & CO. LLC, BARCLAYS CAPITAL
INC., CREDIT SUISSE SECURITIES (USA)
LLC, RBC CAPITAL MARKETS LLC, UBS
SECURITIES LLC, RAYMOND JAMES &
ASSOCIATES, and ROBERT W. BAIRD & CO.
INCORPORATED,

Defendants.

No. 1:12-cv-08610-NRB
ECF Case

PETER A. LUEBKE, Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

v.

HI-CRUSH PARTNERS LP, ROBERT E.
RASMUS, JAMES M. WHIPKEY, LAURA C.
FULTON, JEFFRIES V. ALSTON III,
ROBERT L. CABES, JR., JOHN R. HUFF,
TREVOR T. TURBIDY, STEVEN A.
WEBSTER, MORGAN STANLEY & CO.
LLC, BARCLAYS CAPITAL INC., CREDIT
SUISSE SECURITIES (USA) LLC, RBC
CAPITAL MARKETS LLC, UBS
SECURITIES LLC, RAYMOND JAMES &
ASSOCIATES and ROBERT W. BAIRD & CO.
INCORPORATED,

Defendants.

No. 1:12-cv-09212-CM
ECF Case

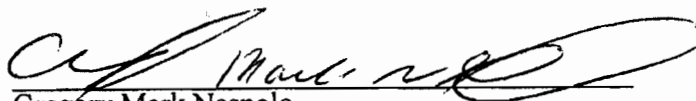
TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Leona Sesholtz and Alexander W. Thiele hereby withdraw their Notice of Motion and Motion for Consolidation of Related Actions, Appointment as Lead Plaintiff and Approval of Lead Counsel, filed on January 22, 2013. After reviewing the competing motions, Ms. Sesholtz and Mr. Thiele recognize that their losses are less than the losses claimed by the other Lead Plaintiff movants. This Withdrawal shall have no effect upon Ms. Sesholtz's and Mr. Thiele's rights as members of the proposed class, including, but not limited to, the right to share in any recovery from the resolution of these actions through settlement, judgment, or otherwise.

PLEASE TAKE FURTHER NOTICE that Plaintiffs Leona Sesholtz and Alexander W. Thiele, by their undersigned counsel, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby provide notice of voluntary dismissal, without prejudice, of their claims in the above-captioned action.

Dated: February 7, 2013

WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP



Gregory Mark Nespole
270 Madison Avenue
New York, New York 10016
Telephone: 212/545-4600
Facsimile: 212/545-4653

*Attorney for Plaintiffs Leona Sesholtz and
Alexander W. Thiele*

SO ORDERED:

709517



U.S.D.J.

2/8/2013
2